

“The Death Penalty in the United States”

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I first read Mr Lowe's website pitching his philosophy on capital punishment seven years ago, in the fall of 2010. I was fascinated by his views and was readily convinced that his views were correct. I took it upon myself in 2015 to preserve what he wrote, and now I bring it to you here on Archive.org.

All writing credits go to Mr Lowe.

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INTRODUCTION:

Putting to death people judged to have committed certain extremely heinous crimes is a practice of ancient standing, but in the United States in the latter half of the twentieth century, it has become a very controversial issue. Changing views on this difficult issue and many legal challenges to capital punishment working their way through the courts resulted in a halt to executions in the United States in 1967. Eventually, the Supreme Court placed a moratorium on capital punishment in 1972 but later upheld it in 1977, with certain conditions.

As a staunch supporter of the death penalty, I consider this to be a good thing for my state and its citizens. Indeed, restoring capital punishment is the will of the people, yet many voices are raised against it. Heated public debate centers on questions of deterrence, public safety, sentencing equity, and the execution of innocents, among others. I have listened and read the arguments opposing the death penalty and I find that they are not at all convincing. Here's why:

THE DETERRENT EFFECT OF CAPITAL PUNISHMENT

One argument states that the death penalty does not deter murder. Dismissing capital punishment on that basis requires us to eliminate all prisons as well because they do not seem to be any more effective in the deterrence of crime.

Others say that states which do have the death penalty have higher crime rates than those that don't, that a more severe punishment only inspires more severe crimes. I must point out that every state in the union is different. These differences include the populations, number of cities, and yes, the crime rates. Strongly urbanized states are more likely to have higher crime rates than states that are more rural, such as those that lack capital punishment. The states that have capital punishment are compelled to have it due to their higher crime rates, not the other way around.

Abolitionists also hold the notion that criminals do not fear death because they do not take time to think about the consequences of their acts. If that were true, then I wonder how police officers manage to arrest criminals without killing them. When a policeman holds a criminal at gunpoint and tells him to get on the ground, the criminal will comply fully in the vast majority of these cases. Why would they do that unless they were afraid of the lethal power of the gun? It is because regardless of what abolitionists claim, criminals are not immune to fear! It is a common misconception to believe that fear is a thought process that has to be worked out with a piece of paper. It's not! It is an instinct that automatically kicks in when one is faced with lethal force! The examples below should confirm that point.

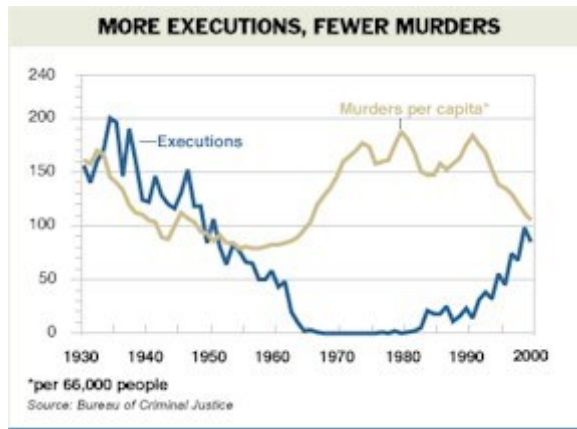
During the temporary suspension on capital punishment from 1972-1976, researchers gathered murder statistics across the country. In 1960, there were 56 executions in the USA and 9,140 murders. By 1964, when there were only 15 executions, the number of murders had risen to 9,250. In 1969, there were no executions and 14,590 murders, and 1975, after six more years without executions, 20,510 murders occurred rising to 23,040 in 1980 after only two executions since 1976. In summary, between 1965 and 1980, the number of annual murders in the United States skyrocketed from 9,960 to 23,040, a 131 percent increase. The murder rate -- homicides per 100,000 persons -- doubled from 5.1 to 10.2. So the number of murders grew as the number of executions shrank. Researcher Karl Spence of Texas A&M University said:

"While some [death penalty] abolitionists try to face down the results of their disastrous experiment and still argue to the contrary, the...[data] concludes that a substantial deterrent effect has been observed...In six months, more Americans are murdered than have killed by execution in this entire century...Until we begin to fight crime in earnest [by using the death penalty], every person who dies at a criminal's hands is a victim of our inaction."

Notes Dudley Sharp of the criminal-justice reform group Justice For All:

"From 1995 to 2000," "executions averaged 71 per year, a 21,000 percent increase over the 1966-1980 period. The murder rate dropped from a high of 10.2 (per 100,000) in 1980 to 5.7 in 1999 -- a 44 percent reduction. The murder rate is now at its lowest level since 1966. "

The graph below drawn by the Bureau of Criminal Justice gives a general overview of the murder rate compared to the number of executions that had taken place in the US up to the year 2000:



And that's not all.

The most striking protection of innocent life has been seen in Texas, which executes more murderers than any other state. According to JFA (Justice for All), the Texas murder rate in 1991 was 15.3 per 100,000. By 1999, it had fallen to 6.1 -- a drop of 60 percent. Within Texas, the most aggressive death penalty prosecutions are in Harris County (the Houston area). Since the resumption of executions in 1982, the annual number of Harris County murders has plummeted from 701 to 241 -- a 72 percent decrease.

Edward Koch, former mayor of New York City, said:

"Had the death penalty been a real possibility in the minds of...murderers, they might well have stayed their hand. They might have shown moral awareness before their victims died...Consider the tragic death of Rosa Velez, who happened to be home when a man named Luis Vera burglarized her apartment in Brooklyn. "Yeah, I shot her," Vera admitted. "...and I knew I wouldn't go to the chair."

More recently, a series of academic studies within the last six years show that the death penalty does indeed act as a deterrent to murder. These analysts count that between three and 18 lives would be saved by the execution of each convicted murderer. Naci Mocan, an economics professor at the University of Colorado at Denver, co-authored a 2003 study and re-examined a 2006 study that found that each execution results in five fewer homicides, and commuting a death sentence means five more homicides. In an interview, he states:

"Science does really draw a conclusion...There is no question about it. The conclusion is there is a deterrent effect. The results are robust. They don't really go away. I oppose the death penalty. But my results show that the death penalty (deters) - what am I going to do, hide them?"

These studies are among a dozen papers since 2001 that the death penalty has a deterrent effect. They all look at executions and homicides by year and by state or county in order to figure out the impact of the death penalty on homicides by accounting for other factors, such as unemployment data and per capita income, the probabilities of arrest and conviction and more. Among these conclusions:

- **Each execution deters an average of 18 murders, according to a 2003 nationwide study by professors at Emory University. (Other studies have estimated the deterred murders per execution at three, five, and 14).**
- **The Illinois moratorium on executions in 2000 led to 150 additional homicides over four years following, according to a 2006 study by professors at the University of Houston.**
- **Speeding up executions would strengthen the deterrent effect. For every 2.75 years cut from time spent on death row, one murder would be prevented, according to a 2004 study by an Emory University professor.**

The authors of these deterrent reports welcome criticism in the interests of science. However, their work is being attacked by opponents of capital punishment for their findings, not their flaws.

HISTORICAL EVIDENCE OF DETERRENCE:

There are many examples of how the death penalty deters murder, most haven't even been listed on this webpage. But here is an example of how the use of consistent executions have dramatically improved certain societies.

In the 1800s, in English occupied India, there was one of the worst gangs of murdering thieves the world has ever known, the Indian hoodlum band known as the Thuggees. Through the course of their existence, dating back to the 1550s, the Thuggees were credited with murdering more than 2,000,000 people, mostly wealthy travelers. The killer secret society plagued India for more than 350 years. The Thuggees traveled in gangs, sometimes disguised as poor beggars or religious mendicants. Sometimes they wore the garb of rich merchants to get closer to unsuspecting victims. One of their principles was never to spill blood, so they always strangled their victims. Each member was required to kill at least once a year in order to maintain membership in the cult. But they killed in the name of religion. The deaths were conceived of as human sacrifices to Kali, the bloodthirsty Hindustani goddess of destruction. It came to pass that the Thuggees began to kill using pickaxes and knives. According to legend, the Thuggees believed that Kali devoured the bodies of their victims. The story goes that once a member of the society hid behind a tree in order to spy on the goddess. The angry goddess punished the Thuggees by making them bury their victims from then on.

The ruling British government worked very hard to stop the Thuggee religion and its murderous practices. Between 1829 and 1848, the British managed to suppress the Thuggees by means of mass arrests and speedy executions. Indeed, rows and rows of Thuggees were left hanging from the gallows along the roads by the dozens. This not only established a zero recidivism rate, but it also greatly discouraged new membership into the cult. The most lethal practitioner of the cult of Thuggee was Buhram. At his trial it was established that he had murdered 931 people between 1790 and 1840. All had been strangled with his waistcloth. Burham was executed in 1840. Appropriately enough, he was hanged until he strangled. In 1832, the Agent to the Governor-General of India, F. C. Smith had this to say about the Thuggees and their deeds:

"I have never heard of such atrocities, or presided over such trials, such cold-blooded murders, such heart-rending scenes of distress and misery; such base ingratitude; such a total abandonment of the very principle which binds man to man; which softens the heart and elevates mankind above the brute creation...mercy to such wretches would be the extreme of cruelty to mankind...blood for blood."

In 1882, the British government deemed the problem solved with the hanging death of the last known Thuggee. Good riddance.

Back then, the British weren't as morally confused as they are now. Not only had they the insight to tell the difference between crime and punishment, but they also respected their moral responsibility to defend public safety by diligently countering barbarism, even in their colonies. If the British were anything back then like they are now, they would have been content to sit around on their hands reveling on how "civilized" they are to allow such an evil cult like the Thuggees to exist and terrorize the public - gladly sacrificing public safety and social tranquility for some self-absorbed sense of delicacy. Most likely, the Thuggees would still be around today and for many centuries more to plague India. The Indians have a lot to be thankful for since the British eliminated that scourge over a century ago. They wouldn't have the nerve to effectively counter such barbarism these days.

THE DEATH PENALTY IS A DETERRENT

I. The Death Penalty IS a Deterrent -- Seven Recent Studies

"The results are boldly clear: executions deter murders and murder rates increase substantially during moratoriums."

(2003) Emory University Economics Department Chairman Hashem Dezhbakhsh and Emory Professors Paul Rubin and Joanna Shepherd state that "our results suggest that capital punishment has a strong deterrent effect. An increase in any of the probabilities -- arrest, sentencing or execution -- tends to reduce the crime rate. In

particular, each execution results, on average, in eighteen fewer murders -- with a margin of error of plus or minus 10." (1) Their data base used nationwide data from 3,054 US counties from 1977-1996.

(2003) University of Colorado (Denver) Economics Department Chairman Naci Mocan and Graduate Assistant R. Kaj Gottings found "a statistically significant relationship between executions, pardons and homicide. Specifically each additional execution reduces homicides by 5 to 6, and three additional pardons (commutations) generate 1 to 1.5 additional murders." Their "data set contains detailed information on the entire 6,143 death sentences between 1977 and 1997. (2)

(2001) University of Houston Professors Dale Cloninger and Roberto Marchesini, found that death penalty moratoriums contribute to more homicides. They found: "The (Texas) execution hiatus (in 1996), therefore, appears to have spared few, if any, condemned prisoners while the citizens of Texas experienced a net 90 (to as many as 150) additional innocent lives lost to homicide. Politicians contemplating moratoriums may wish to consider the possibility that a seemingly innocuous moratorium on executions could very well come at a heavy cost." (3)

(2001) SUNY (Buffalo) Professor Liu finds that legalizing the death penalty not only adds capital punishment as a deterrent but also increases the marginal productivity of other deterrence measures in reducing murder rates. "Abolishing the death penalty not only gets rid of a valuable deterrent, it also decreases the deterrent effect of other punishments." "The deterrent effects of the certainty and severity of punishments on murder are greater in retentionist (death penalty) states than in abolition (non death penalty) states." (4)

(2003) Clemson U. Professor Shepherd found that each execution results, on average, in five fewer murders. Longer waits on death row reduce the deterrent effect. Therefore, recent legislation to shorten the time prior to execution should increase deterrence and thus save more innocent lives. Moratoriums and other delays should put more innocents at risk. In addition, capital punishment deters all kinds of murders, including crimes of passion and murders by intimates. Murders of both blacks and whites decrease after executions. (5)

(2003) FCC economist Dr. Paul Zimmerman finds: "Specifically, it is estimated that each state execution deters somewhere between 3 and 25 murders per year (14 being the average). Assuming that the value of human life is approximately \$5 million {i.e. the average of the range estimates provided by Viscussi (1993)}, our estimates imply that society avoids losing approximately \$70 million per year on average at the current rate of execution all else equal." The study used state level data from 1978 to 1997 for all 50 states (excluding Washington D.C.).(6)

(2003) Emory University Economics Department Chairman Hashem Dezhbakhsh and Clemson U. Professor Shepherd found that "The results are boldly clear: executions deter murders and murder rates increase substantially during moratoriums. The results are consistent across before-and-after comparisons and regressions regardless of the data's aggregation level, the time period, or the specific variable to measure executions." (7)

The findings reflect reason, common sense and history.

"According to the standard economic model of crime, a rational offender would respond to perceived costs and benefits of committing crime." "Capital punishment is particularly significant in this context, because it represents a very high cost for committing murder (loss of life). Thus, the presence of capital punishment in a state, or the frequency with which it is used, should unequivocally deter homicide." Furthermore, "an increase in pardons (commutations) implies a decrease in the probability of execution, which economic theory predicts should have a positive (increase) impact on murder rates." (8)

Isaac Ehrlich (1975) provided the first systemic analysis of the relationship between capital punishment and the crime of murder along with the first empirical analysis of the deterrence hypothesis. He found that each execution deterred, on average, 8 murders. Many additional studies have found corroborating evidence supporting the deterrent effect of the death penalty -- from the United States (Ehrlich, 1977, Layson, 1985, Cloninger, 1992, Ehrlich and Liu, 1999, Dezhbakhsh et al, 2000) and Canada (Layson 1983) and the UK (Wolpin, 1978). (9)

**Pubic policy makers take note. Stopping executions will sacrifice innocent lives.
Reinstating capital punishment will spare more innocent lives.**

full report:

THE DETERRENT EFFECT OF THE DEATH PENALTY

by Dudley Sharp, Justice For All,

last update 10/29/03

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DETERRENCE

The potential for negative consequences deters some behavior. The most severe criminal sanction -- execution -- does not contradict that finding. Reason, common sense, history and the weight of the studies support the deterrent effect of the death penalty. The death penalty protects innocent lives. The absence of the death penalty sacrifices innocent lives.

Is there any group, be they criminologists, historians, psychologists, economists, philosophers, physicians, journalists or criminals that does not recognize that the prospect of negative consequences constrains or deters the behavior of some? Of course not -- not even fiction writers so speculate. Even irrational people wear seat belts, choose not to smoke and do not rob police stations because of the potential for negative consequences.

I. Seven Recent Deterrence Studies-- The death penalty saves innocent lives

II. Historical support

Reason, history and common sense all support that the potential for negative consequences deters or alters behavior. In short, incentives, negative or positive, matter. That is undisputed.

Numerous, previous studies have also supported a deterrence finding. And the studies that find a deterrent effect of other criminal sanctions give additional support to the deterrent effect of the death penalty, because, if lesser sanctions deter, then we know that more severe sanctions also deter. The studies that find a deterrent effect of 1. increased police presence, or any other levels of security; 2. arrest/arrest rates; 3. criminal sentencing/incarceration terms; and 4. the presence of rules, laws and statutes all provide additional, collateral support for the deterrent effect of the death penalty. And there are likely hundreds, if not thousands, of such studies and examples (database in progress).

III. Negative consequences matter

Many have discounted a deterrent effect because of the irrationality of potential and active criminals. However, both reason and the evidence support that the potential for negative consequences does affect criminal behavior.

Criminals who try to conceal their crime do so for only one reason -- fear of punishment. Likely, more than 99% of all criminals, including capital murderers, act in such a fashion. Fear of capture does not exist without an expectation of punishment.

This doesn't mean that they sit down before every crime, most crimes or even their first crime, and contemplate a cost to benefit analysis of a criminal action. Weighing

negative consequences may be conscious or subconscious, thoughtful or instinctive. And we instinctively know the potential negative consequences of some actions. Even pathetically stupid or irrational criminals will demonstrate such obvious efforts to avoid detection. And there is only one reason for that -- fear of punishment.

When dealing with less marginalized personalities, those who choose not to murder, such is a more reasoned group. It would be illogical to assume that a more reasoned group would be less responsive to the potential for negative consequences. Therefore, it would be illogical to assume that some potential murderers were not additionally deterred by the more severe punishment of execution.

As legal writer and death penalty critic Stuart Taylor observes: "All criminal penalties are based on the incontestable theory that most (or at least many) criminals are somewhat rational actors who try so hard not to get caught because they would prefer not to be imprisoned. And most are even keener about staying alive than about avoiding incarceration." (10)

Based upon the overwhelming evidence that criminals do respond to the potential of negative consequences, reason supports that executions deter and that they are an enhanced deterrent over lesser punishments.

IV. The pre-trial, trial and death row evidence - the survival effect

At every level of the criminal justice process, virtually all criminals do everything they can to lessen possible punishments. I estimate that less than 1% of all convicted capital murderers request a death sentence in the punishment phase of their trial. The apprehended criminals' desire for lesser punishments is overwhelming and unchallenged.

Of the 7300 inmates sentenced to death since 1973, 85, or 1.2% have waived remaining appeals and been executed. 98.8% have not waived appeals. The evidence is overwhelming that murderers would rather live on death row than die. Why? The

survival effect -- life is preferred over death and death is feared more than life. Even on death row, that is the rule.

Even such marginalized personalities as capital murderers fear death more than imprisonment. And that which we fear the most, deters the most. (kudos to Ernest van den Haag and many others)

It is logical to conclude that some of those less marginalized personalities, who choose not to murder, also, overwhelmingly, fear death more than life, and, we, thus, logically conclude that some are deterred from murdering because of the enhanced deterrent effect of execution.

The evidence for the survival effect in pre-trial, trial and appeals is overwhelming and that weighs in favor of execution as a deterrent and as an enhanced deterrent over lesser sentences.

V. If unsure about deterrence

Common sense, reason and history all support that the potential for negative consequences restricts the behavior of some. But, if unsure of deterrence, we face the following dilemma -- If executions do deter, halting executions causes more innocents to be murdered and gives those living murderers the opportunity to harm and murder again. If the death penalty does not deter, and we do execute, we punish murderers as the jury deemed appropriate and we prevent those executed murderers from harming or murdering again.

Oddly, death penalty opponents believe that the burden of proof is on those who say the death penalty is a deterrent. Clearly it is not. The weight of the evidence, within reason, history, common sense and the social sciences is department Chairman Hashem Dezhbakhsh and Clemson U. Professor Shepherd found that "The results are boldly clear: executions deter murders and murder rates increase substantially during moratoriums. The results are consistent across before-and-after comparisons

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VI. The brutalization effect of executions

Some, particularly death penalty opponents, find that the brutalization effect is more likely than the deterrent effect. The brutalization effect finds that murders will increase because potential murderers will murder because of the example of state executions.

Why would potential and active murderers be so influenced by the state in such a deep philosophical manner, revealed by brutalization, but they wouldn't be more affected by the simple "you murder, we execute you?"

Death penalty opponents make an interesting about face on this issue. They insist that criminals are so thoughtless and impulsive that they can't be affected by the potential of negative consequences but, then, those same opponents see criminals as so contemplative that their criminal actions increase BECAUSE those criminals follow the example of the state. One might ask those opponents: "Is there any other government action which influences criminals in such a fashion?" Do criminals kidnap more BECAUSE the state increases incarceration rates? Do criminals give money to potential victims BECAUSE the state donates to needy causes?

MURDER RATES AND EXECUTION RATES

Although deterrence is much more than a simple look at only execution rates and murder rates, we do find that as executions have risen dramatically, the murder rate has plunged.

From 1966-1980, a period which included our last national moratorium on executions (June 1967- January 1976), murders in the United States more than doubled from 11,040 to 23,040. The murder rate also nearly doubled, from 5.6 to 10.2/100,000. During that 1966-1980 period, the US averaged 1 execution every 3 years, with a maximum of two executions per year. From 1995-2000 executions averaged 71 per year, a 21,000% increase over the 1966-1980 period. The US murder rate dropped from a high of 10.2/100,000 in 1980 to 5.5/100,000 in 2000 -- a 46% reduction. The US murder rate is now at its lowest level since 1966 (17).

The Texas example -- The murder rate in Harris County (Houston), Texas has fallen 73% since executions resumed in 1982, through 2000, from 31/100,000 to 8.5/100,000 (18). Harris County is, by far, the most active death penalty sentencing and execution jurisdiction in the US. The Harris County murder rate dropped nearly 70% more than did the national murder rate, during similar periods. Texas' murder rate dropped 62% during that same period, or 41% more than the national average.

Potential murderers may have been affected by the example of the state of Texas but, likely, not in a manner consistent with brutalization.

And "(t)he biggest decline in murder rates has occurred in states that aggressively use capital punishment." (19)

After a thorough review of deterrence studies, Professor Samuel Cameron observed, "The brutalization idea is not one the economists have given any credence." "We must conclude that the deterrence effect dominates the opposing brutalization effect." (20)

Reason, history, common sense and the studies weigh against the brutalization effect.

VII. The incapacitation effect

The incapacitation effect states that executed murderers cannot harm or murder again. Reason dictates that living murderers are infinitely more likely to harm and murder again than are executed murderers.

That obvious logic escapes death penalty opponents who say that we can have foolproof incarceration. What hypocrisy. This is the same group of folks who tell us that our system of justice is so fraught with error that we cannot possibly continue the death penalty. Yet, the facts tell us that living murderers harm and murder again, in prison, after escape and after improper release. Executed murderers that the potential for negative consequences restricts the behavior of some. That is not in dispute. Furthermore, if opponents cannot prove it is not a deterrent, which they never have and never will, then they are the ones who risk sacrificing innocents, both by absence of deterrence and reduced incapacitation.

Regardless of jurisdiction, under all debated scenarios, more innocents are put at risk when we fail to execute. Any alleged concern for innocents weighs in favor of executions.

VIII. The individual deterrent effect

The individual deterrent effect is represented by those who state that they were deterred from committing a murder only because of the prospects of a death sentence. Individual cases support the enhanced deterrent effect. (11)

One Iowa prisoner, who escaped from a transportation passenger van, with a number of other prisoners, stated that he made sure that the overpowered guards were not harmed, because of his fear of the death penalty in Texas. The prisoners were being transported through Texas, on their way to New Mexico, when the escape occurred. Most compelling is that he was a twice convicted murderer from a non death penalty

state, Iowa. In addition, he was under the false impression that Texas had the death penalty for rape and, as a result, also protected the woman guard from assault. (12)

New York Law School Professor Robert Blecker recorded his interview with a convicted murderer. The murderer robbed and killed drug dealers in Washington DC., where he was conscious that there was no death penalty. He specifically did not murder a drug dealer in Virginia because, and only because, he envisioned himself strapped in the electric chair, which he had personally seen many times while imprisoned in Virginia. (13)

Logic requires that the individual deterrent effect cannot exist without the general deterrent effect. Therefore, reason dictates that the general deterrent effect must exist. The question is not: "Does deterrence exist?" It does. The issue is: "What is the quantifiable impact of deterrence?"

Individual cases support the individual deterrent effect and such cases insure that general deterrence must exist. And, for both, the evidence also suggests that executions provide enhanced deterrence over incarceration.

IX. Conflicting studies

In reviewing 30 years of deterrence studies, the strongest statement one may make against deterrence is that there is conflicting data (14).

Yet, even when academic bias against capital punishment is overt, such as in the case of the American Society of Criminology -- the subtitle to their death penalty resources page is "Anti-Capital Punishment Resources" -- even they fail to state that the death penalty does not deter some potential murderers, only that "social science research has found no consistent evidence of crime deterrence through execution." (15) That is far from stating that executions do not deter. And the criminologists are, very likely, that academic group most hostile toward the death penalty. What social science conflicts with the notion that the potential for negative consequences

restrains the behavior of some? And most would agree that execution is the most serious negative consequence that a murderer may face.

Numerous studies find that executions do deter. And there is a rational conclusion based upon common experience. It appears that all criminal sanctions deter some. It would be irrational to conclude that the most severe and publicized sanction -- execution -- does not deter some potential murderers.

Those studies which do not find deterrence say that they could not detect it, not that it doesn't exist. Those studies which find for deterrence state such.

As Professor Cloninger states: " . . . (Our recent) study is but another on a growing list of empirical work that finds evidence consistent with the deterrence hypothesis. These studies as a whole provide robust evidence -- evidence obtained from a variety of different models, data sets and methoicide",

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11) see paragraph 14, Section B, "The Incapacitation and the Deterrence Effects", Death Penalty and Sentencing Information in the United States, 10/1/97, at <http://www.prodeathpenalty.com/DP.html>

12) "Langley says Texas death penalty affected his actions during escape", by Stephen Martin, The Daily Democrat (Ft. Madison, Iowa), 1/8/97, pg 1.

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15) "ASC RESOLUTION ON THE DEATH PENALTY", ASC Annual Meeting, Montreal, 1987, Anti-Capital Punishment Resources from the ASC's Critical Criminology Division, go to <http://sun.soci.niu.edu/~critcrim/dp/dp.html> last viewed 12/2/01.

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i) Homicide trends in the U.S., Long term trends, Homicide victimization, 1950-99, Bureau of Justice Statistics, Source: FBI, Uniform Crime Reports, 1950-2000 at <http://www.ojp.usdoj.gov/bjs/homicide/tables/totalstab.htm> , Page last revised on January 4, 2001

(ii) Crime in the United States -- 2000, Section II -- Crime Index Offenses Reported, "Murder and non negligent homicide", FBI, Uniform Crime Reports at http://www.fbi.gov/ucr/cius_00/00crime2_3.pdf

(iii) "Number of persons edo not. In addition, the US death penalty appears to be that criminal justice sanction which is the least likely to convict the factually innocent and the most likely to remedy such rare error upon post conviction review.

Stuart Taylor: "Statistical studies and common sense aside, it's undeniable that the death penalty saves some lives: those of the prison guards and other inmates who would otherwise be killed by murderers serving life sentences without parole, and of people who might otherwise encounter murderous escapees". (21)

Under all circumstances, the execution of murderers will protect innocents at a higher rate than will incarceration.

X. Death Penalty Opponents

Why is it that some death penalty opponents appear to laugh off any potential for a deterrent effect of executions? Because to admit that executions deter some potential murderers would be to admit that, in reaching their goals, they will knowingly benefit murderers at the cost of sacrificing more innocent lives. Of course, opponents will never prove it is not a deterrent and many will admit that executions do deter some.

How many would still oppose executions if they knew that the evidence supported the deterrent effect and that many more innocents are put at risk by not executing?

Stuart Taylor: "So those of us who lean against the death penalty must confront the very real possibility that abolishing it could lead to the violent deaths of unknown numbers of innocent men, women, and children. And those who are still skeptical that the death penalty deters any killings must also confront the risk-benefit calculus suggested by political scientist John McAdams of Marquette University: 'If we

execute murderers, and there is, in fact, no deterrent effect, we have killed a bunch of murderers. If we fail to execute murderers, and doing so would in fact have deterred other murders, we have allowed the killing of a bunch of innocent victims.

CAPITAL PUNISHMENT AND THE WORLD:

In 1948, the United Nations adopted the Universal Declaration of Human Rights, which is a pledge among nations to promote fundamental rights as the foundation of freedom, justice, and peace in the world. The political elite in Europe often condemn the US as human rights violators since we still use the death penalty on murderers, which they insist is a violation of the Universal Declaration of Human Rights. But they couldn't be more wrong.

Abolitionists interpret from Article 3 in that Declaration to proclaim each person's right to protection from deprivation of life, especially murderers! And they also point to Article 5, which states that no one shall be subjected to cruel or degrading punishment. From this, abolitionists self-righteously declare that the death penalty violates both of these rights. But in fact, nowhere in that declaration is the DP specifically condemned as a human rights violation!

For instance, in Article 3 it states: Everyone has the right to life, liberty and security of person. Strangely, from this, abolitionists interpret that the death penalty is a human rights violation since it deprives a person's right to life. But if we were to follow that reasoning, we would have to abolish prisons as a human rights violation as well since they deprive people of liberty. We would also have to abolish charging taxes and fines since they violate one's "security of person." Indeed, it is clear that the drafters of the Declaration of Human Rights had the moral coherence to recognize the distinction between crime and punishment which abolitionists try so desperately to erase. So the interpretation that abolitionists derive from Article 3 of the Declaration is illogical and contradictory.

And in Article 5, it states: No one shall be subjected to cruel or degrading punishment. From this, abolitionists insist that capital punishment is ruled out because it is "the ultimate cruel, inhuman, and degrading punishment." But that is their opinion, only! Indeed, what is stated in Article 5 is highly subjective and open to interpretation and could just as easily be applied to prisons as well. And at the time it was implemented, most nations who signed it had the death penalty and continued to use it long after the Universal Declaration of Human Rights was approved by them. So obviously, the signers back then had the moral coherence to appreciate the distinction between murders and executions.

What the DP is, is a punishment for a human rights violation, not a human rights violation itself. Anyone with any amount of moral judgment and coherence would recognize and respect that difference. All abolitionists are trying to do is protect human rights violators at the expense of their victims by trying to pass off the just punishment of human rights violations as a human rights violation itself, an analysis that one would have to be totally lacking in sound moral judgement to accept since it is so obviously contradictory as well as morally and logically skewed.

European elites enjoy showcasing their opposition to the death penalty as a progressive policy based on the respect of human rights. However, the moral basis of European opposition to the death penalty is riddled with contradictions, especially when viewed in the context of Europe's progressive euthanasia policies or dismal record on human rights on their own continent (reference their indifference to the Balkans). Such large contradictions usually suggest there are other motives.

Germany, along with France, has long led the anti-death penalty charge in Europe. The mayor of Paris took this viewpoint to such an extreme position that he named a city street after convicted American cop killer Mumia Abu-Jamal. So it came as little surprise when a Washington Post article revealed on June 4, 2005 that the true basis for Germany's strong anti-death penalty policy was not based on morals or a sense of humanity. Instead, it was based on protecting convicted Nazi war criminals.

Contrasting their nation's policy with that of the Americans, Germans point proudly to Article 102 of their Basic Law, adopted in 1949. It reads, simply: "The death penalty is abolished." They often say that this 56-year-old provision shows how thoroughly the postwar Federal Republic has learned -- and applied -- the lessons of

Nazi state-sponsored killing as though having the death penalty for murderers was the sole cause of Hitler's rise to power and the genocide that followed. (Communist East Germany kept the death penalty until 1987.)

But the actual history of the German death penalty ban casts this claim in a different light. Article 102 was in fact the brainchild of a right-wing politician who sympathized with convicted Nazi war criminals -- and sought to prevent their execution by British and American occupation authorities. Far from intending to repudiate the barbarism of Hitler, the author of Article 102 wanted to make a statement about the supposed excesses of Allied victors' justice.

It is often said that the US has a higher murder rate than major Western European Nations. According to Interpol and the FBI this is not necessarily the case. If one excludes murders committed by inner city blacks from the statistics the United States actually has a lower murder rate than Germany and France.

Homicide Victim Rate/100,000 by Race in US (2000):

3.3 - White

20.5 - Black

2.7 - Other

Thus if you remove homicides committed by inner city blacks (total: 21862, Blacks: 9316), and assume a proportionality between number of offenders and number of offenses, you can extrapolate US homicide offender rate of only 2.6/100,000, lower than Germany (3.27) and France (3.91).

Including inner city black murders distorts the figures thrown around today, because they commit 7 times more murders per capita than the other 87% of country. On top of that over 95% of crimes committed by blacks are against other blacks. That is not to imply that blacks are inherently evil. Their murder rates have more to do with welfare policies, racial separatism, etc. Most blacks are decent people, but a sizeable minority of them commits a disproportionate amount of crimes. Casting this high murder rate over all sections of American society is irrational at best. It makes sense to exclude black murders to even things out because France, Germany, and the UK do not have a minority that commits 7 times per capita more murders than

the rest of the country. [Editor's note: works published in John Tyndall's Spearhead Magazine, republished by Summani Documents in the book 'Spearhead', as well as statistics more contemporary than from when Mr Lowe was writing this, prove that the non-white populations of the UK, Germany, and France do commit higher-than-average levels of violent crime.] Otherwise, we are comparing apples to oranges. This on top of the fact that we include deaths caused by self-defense in the murder statistics. Failing to take such differences in demographics between America and Europe into account mislead people into believing that a high murder rate that is committed by a single ethnic group prevails over all parts of American society, and that is simply not the case.

Indeed, in much of the developed world. Crime has recently hit record highs in Paris, Madrid, Stockholm, Amsterdam, Toronto, and a host of other major cities. In a 2001 study, the British Home Office (the equivalent of the U.S. Department of Justice) found violent and property crime increased in the late 1990s in every wealthy country except the United States. American property crime rates have been lower than those in Britain, Canada, and France since the early 1990s, and violent crime rates throughout the E.U., Australia, and Canada have recently begun to equal and even surpass those in the United States. Even Sweden, once the epitome of cosmopolitan socialist prosperity, now has a crime victimization rate 20 percent higher than the United States.

Americans, on the other hand, have become much safer. Preliminary 2001 crime statistics from the FBI show America's tenth consecutive year of declines in crime. Our homicide rate has sunk to levels unseen here since the early 1960s. And overall crime rates in this country are now 40 percent below the all-time highs of the early 1970s. In 1973, nearly 60 percent of American households fell victim to property crimes. In 2000, only about 20 percent did. Among the economically powerful democracies in the Group of Seven, only the Japanese now have a lower victimization rate than the United States.

Joshua Micah Marshall, the Washington editor of The American Prospect, wrote an article in 2000 describing the state of affairs in Europe concerning the death penalty:

“It's true that every industrialized nation, save Japan and the US, have abolished capital punishment, but the reason isn't as death-penalty opponents usually assume, that their populations eschew the death penalty. In fact, opinion polls show that Europeans and Canadians want executions almost as much as their American counterparts do. It's just that their politicians don't listen to them. In other words, if these countries' political cultures are less pro death penalty than America's, it's because they're less democratic.

Seen through American eyes, Canada seems almost totally nonviolent. And it's true that Ottawa administered its last execution in 1962 and formally abolished capital punishment for civilians in the mid-'70s (a ban on military executions came in 1998). But public support for the death penalty runs only slightly lower in Canada than in the United States: polls consistently show that between 60 percent and 70 percent of Canadians want it reinstated.

Differences in the way survey questions are framed complicate direct comparisons with Europe. (European polls sometimes pose the question in terms of the death penalty for terrorism, for genocide, for depraved sexual crimes, and so forth.) But, even if you ask the death-penalty question in the more straight forward sense--"Do you support the death penalty for aggravated murder?"--you find very few European countries where the public clearly opposes it, and there are a number where support is very strong. In Britain, the world headquarters of Amnesty International, opinion polls have shown that between two-thirds and three-quarters of the population favors the death penalty--about the same as in the United States. In Italy, which has led the international fight against capital punishment recently, roughly half the population wants it reinstated. In France, clear majorities continued to back the death penalty long after it was abolished in 1981. There is barely a country in Europe where the death penalty was abolished in response to public opinion rather than in spite of it.

How could this be? In a few cases, the reason is constitutional: Germany's and Italy's postwar constitutions abolished capital punishment outright, thus placing the issue effectively beyond public reach. Another factor is the centripetal pressure created by European integration, as cornerstone EU states like France and Germany force smaller newcomers to adopt "European" standards, like abolishing the death penalty. In other words, the newcomers succumb to political and economic blackmail when they join the EU.

Differences between European parliamentary government and the American separation-of-powers system also play a role. Parliamentary government may provide voters with more ideological variety, but it is much more resistant to political newcomers and fresh ideals which may support different political views. In

parliamentary systems, people tend to vote for parties, not individuals; and party committees choose which candidates stand for election. As a result, parties are less influenced by the will of the people. In countries like Britain and France, so long as elite opinion remains sufficiently united (which, in the case of the death penalty, it has), public support cannot translate into legislative action. Since American candidates are largely independent and self-selected, they serve as a much more direct conduit between public opinion and actual political action.

Basically, then, Europe doesn't have the death penalty because its political systems are less democratic, or at least more insulated from public opinion, than the U.S. government. And elites know it. Referring to France, a recent article in the UNESCO Courier noted that "action by courageous political leaders has been needed to overcome local public opinion that has remained mostly in favour of the death penalty." When a 1997 poll showed that 49 percent of Swedes wanted the death penalty reinstated, the country's justice minister told a reporter: "They don't really want the death penalty; they are objecting to the increasing violence. I see this as a call to politicians and the justice system to do more."

An American attorney general--or any American politician, for that matter--could never get away with such condescension toward the public, at least not for attribution. Pundits and rival politicians would slam him, and, on most issues, liberals would be first in line. After all, liberals are attached to the idea that they speak for the "little guy," the "working family," or, in Al Gore's recent phraseology, "the people, not the powerful." But, all over the industrialized world, it turns out that most people favor the death penalty. It's just that in Europe and Canada elites have exercised a kind of noblesse oblige. They've chosen a more oligarchical political order over a fully popular and participatory one."

Few of these countries had a debate about the death penalty before banning it to satisfy the European Union, so no popular consensus was reached. Said Peter Hodgkinson, director of the Center for Capital Punishment Studies at the University of Westminster in London:

"What the Council of Europe did was to exercise the coercive powers they had over these young, fragile, emerging democracies who all wanted to join the big club of the Council of Europe with a view to joining the economic club of the EU in the future. They would have signed anything."

Bruce Bawer, an American journalist who lives in Norway, had this to say about the attitudes of the European political elite:

“The European establishment's anti-Americanism, it must be remembered, is not the thoughtfully considered philosophy of a morally sensitive international power but the pathetic posturing of a tired, ailing civilization's insecure and envious leaders-bureaucratic souls who are frightened of the future and desperate for an easy scapegoat. Europe, to America, is rather like a thankless, cantankerous old mother with whom we may be exasperated but on whom we can hardly turn our back.”

Indeed, there are those in Europe doubt that the EU position will endure, arguing that it is more a moratorium than a permanent ban. Johann Wolfgang von Goethe wrote in 1829:

“To abolish the death penalty, that’s hardly sustainable. If that happens, we will call it back every now and then.”

CAPITAL PUNISHMENT VS. LIFE WITHOUT PAROLE:

Abolitionists claim that there are alternatives to the death penalty. They say that life in prison without parole serves just as well. Certainly, if you ignore all the murders criminals commit within prison when they kill prison guards and other inmates, and also when they kill decent citizens upon escape, like Dawud Mu'Min who was serving a 48-year sentence for the 1973 murder of a cab driver when he escaped a road work gang and stabbed to death a storekeeper named Gadys Nopwasky in a 1988 robbery that netted \$4.00. Fortunately, there is now no chance of Mu'Min committing murder again. He was executed by the state of Virginia on November 14, 1997.

Another flaw is that life imprisonment tends to deteriorate with the passing of time. Take the Moore case in New York State for example.

In 1962, James Moore raped and strangled 14-year-old Pamela Moss. Her parents decided to spare Moore the death penalty on the condition that he be sentenced to life in prison without parole. Later on, thanks to a change in sentencing laws in 1982, James Moore is eligible for parole every two years!

If Pamela's parents knew that they couldn't trust the state, Moore could have been executed long ago and they could have put the whole horrible incident behind them forever. Instead they have a nightmare to deal with biannually. I'll bet not a day goes by that they don't kick themselves for being foolish enough to trust the liberal sham that is life imprisonment and rehabilitation. (According to the US Department of Justice, the average prison sentence served for murder is five years and eleven months.)

Putting a murderer away for life just isn't good enough. Laws change, so do parole boards, and people forget the past. Those are things that cause life imprisonment to weather away. As long as the murderer lives, there is always a chance, no matter how small, that he will strike again. And there are people who run the criminal justice system who are naive enough to allow him to repeat his crime.

Kenneth McDuff, for instance, was convicted of the 1966 shooting deaths of two boys and the vicious rape-strangulation of their 16-year-old female companion. A Fort Worth jury ruled that McDuff should die in the electric chair, a sentence commuted to life in prison in 1972 after the U.S. Supreme Court struck down the death penalty as then imposed. In 1989, with Texas prisons overflowing and state officials under fire from the federal judiciary, McDuff was quietly turned loose on an unsuspecting citizenry.

Within days, a naked body of a woman turned up. Prostitute Sarafia Parker, 31, had been beaten, strangled and dumped in a field near Temple. McDuff's freedom in 1989 was interrupted briefly. Jailed after a minor racial incident, he slithered through the system and was out again in 1990.

In early 1991, McDuff enrolled at Texas State Technical College in Waco. Soon, Central Texas prostitutes began disappearing. One, Valencia Joshua, 22, was last seen alive Feb. 24, 1991. Her naked, decomposed body later was discovered in a shallow grave in woods behind the college. Another of the missing women, Regenia

Moore, was last seen kicking and screaming in the cab of McDuff's pickup truck. During the Christmas holidays of 1991, Colleen Reed disappeared from an Austin car wash. Witnesses reported hearing a woman scream that night and seeing two men speeding away in a yellow or tan Thunderbird. Little more than two months later, on March 1, 1992, Melissa Northrup, pregnant with a third child, vanished from the Waco convenience store where she worked. McDuff's beige Thunderbird, broken down, was discovered a block from the store.

Fifty-seven days later, a fisherman found the young woman's nearly nude body floating in a gravel pit in Dallas County, 90 miles north of Waco. By then, McDuff was the target of a nationwide manhunt. Just days after Mrs. Northrup's funeral, McDuff was recognized on television's "America's Most Wanted" and arrested May 4 in Kansas City.

In 1993, a Houston jury ordered him executed for the kidnap-slaying of 22-year-old Melissa Northrup, a Waco mother of two. In 1994, a Seguin jury assessed him the death penalty for the abduction-rape-murder of 28-year-old Colleen Reed, an Austin accountant. Pamplin's son Larry, the current sheriff of Falls County, appeared at McDuff's Houston trial for the 1992 abduction and murder of Melissa Northrup.

"Kenneth McDuff is absolutely the most vicious and savage individual I know," he told reporters. "He has absolutely no conscience, and I think he enjoys killing."

If McDuff had been executed as scheduled, he said, "no telling how many lives would have been saved."

At least nine, probably more, Texas authorities suspect.

His reign of terror finally ended on November 17, 1998 when Kenneth McDuff was put to death by the state of Texas by Lethal Injection. May his victims rest in peace.

There has also been major political hay made out of a nasty scandal involving a prisoner named Willie Horton and Massachusetts' controversial "Prison Furlough Program." Massachusetts governor Mike Dukakis was genuinely committed to the program, and had worked hard to bolster it, despite serious public concerns. In 1976, he'd actually vetoed legislation that would have banned furloughs for first-degree murderers, defending the practice as an essential "management tool."

Thus, a decade later, in June of 1986, there was nothing in the law to deny convicted murderer Horton what was supposed to be a routine 48-hour leave.

Predictably, Horton didn't play by the rules. He fled, eventually arriving in Maryland, where, in April of 1987, he had pistol-whipped and knifed Clifford Barnes, then bound and gagged him and twice raped his fiancée, Angela. When the story of the furlough became known, Horton's brutality created a public uproar.

The Maryland judge who subsequently sentenced Horton to two consecutive life terms refused to extradite him to Massachusetts. "I'm not prepared to take the chance that Mr. Horton might again be furloughed . . . This man should never draw a breath of free air again," said the judge.

The scandal heated to a rolling boil. In April of 1988, embattled Massachusetts legislators finally killed the 16-year-old program -- without further resistance from Dukakis. Thank God!

Lastly, there is the case of Clarence Ray Allen, who had been tried and convicted for burglary and the murder of Mary Sue Kitts and was sentenced to life in prison without possibility of parole.

While in Folsom Prison, Allen conspired with fellow inmate Billy Ray Hamilton to murder witnesses who had testified against him, including Bryon Schletewitz. Allen intended to gain a new trial, where there would be no witnesses to testify to his acts. When Hamilton was paroled from Folsom Prison, he went to Fran's Market, where Bryon Schletewitz worked. There, Hamilton murdered Schletewitz and fellow employees Josephine Rocha, 17, and Douglas White, 18, with a sawed-off shotgun and wounded two other people, Joe Rios and Jack Abbott. Hamilton shot Schletewitz at near point-blank range in the forehead and murdered Rocha and White after forcing them to lie on the ground within the store. A neighbor who heard the shotgun blasts came to investigate and was shot by Hamilton. The neighbor returned fire and wounded Hamilton, who escaped from the scene.

Five days after the events at Fran's Market, Hamilton was arrested while attempting to rob a liquor store. On his person was found a hit list with the names and addresses of the witnesses who testified against Allen at the Kitts trial, including the name of Schletewitz.

Fortunately, Allen not be ordering any more murders. He was executed by lethal injection on January 17, 2006 at San Quentin State Prison in California.

This is why for people who truly value public safety, there is no substitute for the best in its defense which is capital punishment. It not only forever bars the murderer from killing again, it also prevents parole boards and criminal rights activists from giving him the chance to repeat his crime.

A SHORT LIST OF REPEAT OFFENCES

This is just a short list I compiled when I set out to find people who were already convicted of murder and afterwards committed murder again.

John McRae -- Michigan/Florida. Life for murder of 8-year-old boy. Pedophile. Paroled 1971. Convicted of another murder of a boy after parole, in Michigan 1998. Charges pending on 2 other counts in Florida.

John Miller -- California. Killed an infant 1957, convicted of murder, 1958. Paroled 1975. Killed his parents 1975. Life term 1975.

Michael Lawrence -- Florida. Killed robbery victim. Life term, 1976. Paroled 1985. Killed robbery victim. Condemned 1990.

Donald Dillbeck -- Florida. Killed policeman in 1979. Escaped from prison in 1990, kidnapped and killed female motorist after escape. Condemned 1991.

Edward Kennedy -- Florida. Killed motel clerk. Sentenced to Life. Escaped 1981. Killed policeman and male civilian after prison break. Executed 1992.

Dawud Mu'Min -- Virginia. Killed cab driver in holdup. Sentenced 1973. Escaped 1988. Raped/killed woman 1988. Condemned 1989. Executed 1997.

Viva Nash -- Utah/Arizona. Two terms of life for murder in Utah, 1978. Escaped in 1982. Murdered again. Condemned in Arizona, 1983.

Randy Greenawalt -- Escaped from Prison in 1978, while serving a life sentence for a 1974 murder. He then murdered a family of 4 people, shotgunning them to death, including a toddler.

Norman Parker -- Florida/D.C. Life term in Florida for murder, 1966. Escaped 1978. Life on another count of murder in 1979.

Winford Stokes -- Missouri. Ruled insane on two counts of murder 1969. Escaped from asylum, 1978. Murdered again. Executed for this murder, 1990.

Charles Crawford -- Missouri. Life term in 1965 for murder. Paroled 1990. Convicted of murder again in 1994.

Jack Ferrell -- Florida. Committed Murdered 1981. 15 years to life, 1982. Paroled 1987. Murdered again 1992. Condemned 1993.

Timothy Buss -- Murdered five-year-old girl. Sentenced to 25 years in 1981. Paroled 1993. Murdered 10-year-old boy. Condemned 1996.

Martsay Bolder -- Missouri. Serving a sentence of life for first-degree murder in 1973. Murdered prison cellmate 1979.

Henry Brisbon, Illinois. Murdered 2 in robbery. Sentenced to 1000 - 3000 years. Killed inmate in prison 1982. Sentenced to DP. Commuted by Governor Ryan.

Randolph Dial -- Oklahoma. Life for murder 1986. Escaped from prison with deputy warden's wife as kidnap victim. 1989. Still at large. Warden's wife never found.

Arthur J. Bomar, Jr. -- released from prison in Nevada on parole in 1990. Bomar had served 11 years of a murder sentence for killing a man over an argument about a parking space. Six years later in Pennsylvania, Bomar brutally kidnapped, raped and murdered George Mason University star athlete Aimee Willard.

Dwain Little -- Oregon. Raped/Stabbed 16-year-old girl. Life term 1966. Paroled 1974. Returned as Parole Violator 1975. Again Released 1977. Then shot family of 4. Three consecutive life terms for rape and murder 1980.

Arthur Shawcross (The 'Monster of the Rivers') -- Released after serving a 25 year sentence for a child murder, turned to murdering prostitutes. At least 10 in all. Now serving ten consecutive sentences of 25 years to life - 250 years in all.

Samuel D. Smith -- in prison for murdering Zita Casey, 79, during a burglary in St. Louis in 1978. While in prison he murdered another inmate, Marlin May, during a knife fight in 1987 in prison.

Darrell P. Pandeli -- After being released from prison after a conviction for murder, Pandeli murdered a prostitute, cut off her nipples and flushed them down the toilet. Now on DR in Arizona for that second recidivist murder.

Chad Allen Lee -- Convicted of capital murder. Sentenced to other than death. Released and went on murder spree. Murdering Linda Reynolds, a pizza delivery person, and 9 days later robbed and murdered David Lacey, a taxi cab driver. Lee then robbed a mini-market seven days after that, shooting the owner, Harold Drury, multiple times without reason.

Scott Lehr -- Convicted of capital murder. Sentenced to other than death. Later released. After release, between Feb 1991 and Feb 1992 lured 10 different female victims, between the ages of 10 and 48-years-old, into his car. Raping and beating them unconscious, stripped and abandoned them in the desert. Three of his victims died in those acts.

James Erin McKinney -- Convicted of capital murder. Sentenced to other than death. Later released. Then murdered Christine Mertens in a home invasion robbery. Later murdered James McClain in another separate home invasion robbery.

Michael Murdaugh -- Convicted of capital murder. Sentenced to other than death. Later released. After release murdered David Reynolds. Beating him to death. When 'dumping' the body, Murdaugh severed Reynold's head and hands, pulled out his teeth, and buried the body parts.

Charles Daniels -- was convicted and sentenced to Life for the 1965 rape and murder of a Louisiana woman. Later having his sentence commuted, he was release. And he again killed another woman, 32-year-old Debbie Tatum.

Jarmarr Arnold -- who, while on DR, murdered another DR inmate by stabbing him in the forehead with a sharpened spike - proving that not even a death sentence can prevent murder until the sentence is carried out.

Robert Lee Massie -- Sentenced to the DP, but overturned by Furman, which resulted in him committing further new murders.

Kenneth McDuff - Sentenced to the DP, but overturned by Furman. Subsequently released, and murdered as many as 19 young women after his release. Finally executed in 1998 for the murder of Melissa Ann Northrup. Once remarked "Killing a woman is like killing a chicken. They both squawk."

Darryl Kemp -- Sentenced to the DP, but overturned by Furman. Subsequently released. Authorities now say he raped and strangled a woman jogging, less than four months later.

Timothy Hancock -- Serving a life sentence for a murder he committed in 1990, murdered his cellmate, Jason Wagner, in November 2000, while serving his life sentence.

Howard Allen -- murdered an elderly woman, Opal Cooper, in Aug 1974, and was sentenced to 21 years in prison. By January 1985, less than ten years after being incarcerated, Howard Allen was released. On May 20, 1987 Howard Allen broke into the home of eighty-seven year old Laverne Hale, and savagely beat her to death. Six weeks later Allen struck again. On July 13, 1987 Howard Allen knocked on the door of Ernestine Griffin. At lunchtime the following day she was found murdered. On June 11, 1988 Allen was found guilty was found guilty of Ernestine's murder.

Melvin Geary -- originally sentenced to LWOP, for the stabbing death of a woman in 1973 with a boning knife. Changed to Life.. released... After his release, Geary was subsequently convicted of murdering 71-year-old Edward Colvin of Sparks, again with a boning knife after Colvin took him in.

William Coday Jr. -- convicted of murdering 19-year-old Lisa Hullinger in September 1978. After spending just 15 months in a German prison, he was released. In April 2002, he was convicted of having murdered Gloria Gomez on 13 July, 1997.

Corey R. Barton -- In 1983 he murdered 16-year-old Shari-Ann Merton. He received 18 years in prison. He was released after serving 9 years and 8 months. In November 1998, he murdered 27-year-old Sally Harris of North Carolina.

Cuhuatemoc Hinricky Peraita -- Rainbow City, Alabama, who was serving life without parole for 3 murders in Gadsden, Alabama was found guilty of capital murder for murdering a fellow inmate.

James Prestridge -- Sentenced to LWOP, for murdering Esfandiar Ateighechi, as he begged for his life in 1989. Escaped from prison along with John Doran. After their escape Prestridge murdered his fellow-escapee John Doran, shooting him in the back of the head.

Jimmy Lee Gray -- who was free on parole from an Arizona conviction for killing a 16-year-old high school girl, kidnapped, sodomized, and suffocated a three-year-old Mississippi girl.

Jack Henry Abbott, who had murdered a fellow prison inmate, was released early from a Utah prison. On July 18, 1981, six-weeks after his release, Abbott stabbed actor Richard Adan to death in New York.

Benny Lee Chaffin, on December 7, 1984 kidnapped, raped, and murdered a 9-year-old Springfield, Oregon girl. He had been convicted of murder once before in Texas, but not executed.

Thomas Eugene Creech, who had been convicted of three murders and had claimed a role in more than 40 killings in 13 states as a paid killer for a motorcycle gang, killed a fellow prison inmate in 1981 and was sentenced to death.

Wayne Henry Garrison, 42, was convicted of 1st-degree murder in the death of Justin Wiles 13, of Tulsa. As a teenager, Garrison had killed two children in Tulsa. Police earlier said the circumstances of those killings were similar to Justin's death.

Tommy Arthur -- sentenced to die in Alabama's electric chair for killing Troy Wicker in a 1982 murder for-hire scheme in Muscle Shoals. Arthur had already been convicted in 1977 of killing the sister of his common-law wife. He had been sentenced to life for that murder.

Robert Lynn Pruett -- a convicted killer already serving a life sentence, fatally stabbed prison guard Daniel Nagle with a sharpened rod while patrolling the Texas Department of Criminal Justice McConnell Unit near Beeville in South Texas. It was the first fatal attack on a Texas corrections officer since guard Minnie Houston was stabbed to death in 1984 by an inmate at the Ellis Unit near Huntsville, a prison official said.

Miguel Salas Rodriguez -- charged in the murder of a sheriff's deputy. Sgt. David M. Furrh, 40, in Dec 2000. Rodriguez had a December 1973 conviction of homicide without malice, for which he was sentenced to five years in prison. And yet ANOTHER conviction for murder in April 1979, for which he was sentenced to 70 years in prison. Rodriguez was paroled in October 1989.

Bennie Demps --condemned to the DP for the 1976 murder of Alfred Sturgis, a prison snitch. Originally, Demps was sent to death row for the murders of R.N. Brinkworth and Celia Puhlick, who were fatally shot in a Lake County citrus grove. A year after Demps was sent to death row, the U.S. Supreme Court threw out capital punishment across the country, ruling death sentences had been imposed in an arbitrary way. Another failure of the Furman-commuted murderers.

Leroy Schmitz -- convicted of strangling his live-in girlfriend in 1986, during an argument. He was sentenced to 18-20 years for that homicide. He was later convicted of murdering his wife, in Whitefish, Montana in 1999.

Vernon Sattiewhite -- In 1977, Sattiewhite had been sentenced to five years for a murder but was paroled two years later and granted clemency. In 1984, he was convicted of robbery and sentenced to two years in prison but was paroled after less than six months. Soon after he murdered his ex-girlfriend, Sandra Sorrell.

Tomas G. Ervin -- Sentenced to death in 1990, after conviction of the December 1988 murders of Mildred L. Hodges, 75, and her son, Richard E. Hodges. Bert Hunter, who was arrested along with Ervin pleaded guilty to the first-degree murder charges. Hunter and Ervin had met in the Missouri State Penitentiary, where they were both serving life sentences for previous murders.

William Michael "Billy the Kid" Mason -- killed his wife three weeks after he was paroled on another murder conviction.

Daniel Joe Hittle -- convicted of capital murder and sentenced to death for murdering a police officer. Hittle, 40, was described by witnesses as a man who gleefully killed or tortured animals and who routinely beat women and children. He was on parole for the killings of his adoptive parents in Minnesota when he shot Garland police officer Gerald Walker during a traffic stop. Hittle then sped to East Dallas, where he fatally shot Mary Alice Goss, 39; Richard Joseph Cook Jr., 36; Raymond Scott Gregg, 19; and Goss' 4-year-old daughter Christy Condon.

Tony Walker -- Texas. Convicted of murder in 1978. Sentenced to 5 years. Murdered a 66-year-old woman and her 81 year-old husband in 1992. Jerome Butler -- Found guilty of the shooting of cab driver Nathan Oakley, 67. Oakley had been a Houston cab driver for 30 years. Butler had an extensive criminal history, including a 1959 conviction on two counts of robbery and assault in New York City. Butler had previously served about 10 years of a 30-year sentence after pleading guilty to the murder of A.C. Johnson, 69.

Dalton Prejean -- killed a taxi driver when he was 14, . When he was 17, he gunned down a state trooper in Lafayette, Louisiana. Despite protests from the American

Civil Liberties Union and other abolitionist groups, Prejean was executed for the second murder on May 18, 1990.

Phillip Jablonski -- Carol Spadoni married Jablonski on June 16, 1982, while he was serving a prison sentence for the 1979 murder of his third wife, Melinda Kimball. After she became his pen-pal correspondent in prison. Jablonski murdered his prison pen-pal wife and her mother. And the day before those murders he had murdered Fathyma Vann, 38, in Indio, about 25 miles from Palm Springs, Vann was found shot and sexually mutilated in the desert with "I love Jesus" carved in her back." Now GET THIS -- It seems that Phillip Jablonski, now in prison after ALL those murders, placed an ad for a pen-pal -- "Jewish Death Row inmate, white, 51 years old, seeking understanding and open female or male for honest correspondence. Amateur poet, artist. Will answer all correspondence received. PHILLIP JABLONSKI, C-02477/SE95, San Quentin, CA 94974"

Jerry Michael Ward -- Originally sentenced to die in the electric chair, for committing murder with malice in the rape and murder of a Houston school girl. His sentence was commuted to life in prison when the U.S. Supreme Court abolished the death penalty in 1972. Although the death penalty was reinstated, the sentence was not. He was subsequently paroled in 1984 after serving 18 years in prison. He was the number one suspect in two new cases, involving the disappearance of Connie Sue Cooke, and the murder of Brenda Maureen Hackett. But although police were on the verge of arresting him, Ward committed suicide in a self-inflicted execution.

David E. Maust -- Hammond, Illinois. Murdered a 15-year-old boy in 1981. After released murdered three teenage boys, in circumstances similiar to John Wayne Gacy... burying their bodies in concrete in his basement.

James Homer Elledge -- sent to prison for life in 1975 after beating a Seattle motel owner to death with a ball-peen hammer. In the years that followed, he won parole 3 times, most recently in August 1995. prosecutors have now charged Elledge with 1st-degree murder for allegedly stabbing and strangling Eloise Jane Fitzner, 47, in a church basement.

Zeno E. Sims -- sent to prison for eight years for the murder of a 24-year-old-man. Released on parole, in Kansas City, he then murdered DeAntreia L Ashley, a 15-year-old-girl, after a minor traffic accident.

Arthur James Julius -- convicted of murder and sentenced to life in prison. In 1978, he was given a brief leave from prison, during which he raped and murdered a cousin. He was sentenced to death for that crime and was executed on November 17, 1989.

In March 1979, a Graterford (Pa.) prison guard was murdered brutally by an inmate. The inmate -- at the time he murdered the guard -- already was serving a life sentence for the triple murder of two infants and an elderly woman.

In 1994, an inmate who already was serving two life sentences in the Philadelphia Industrial Correctional Center was sentenced to three more after he was convicted of stabbing three prison guards.

In 1995, two death-row inmates at the Florida State Prison in Starke were killed by their fellow inmates.

In 1999, a Beeville (Texas) prison guard was killed by an inmate already serving a sentence for murder.

On November 9, 1983 Associate U.S. Attorney General D. Lowell Jensen told a Senate subcommittee that it is impossible to punish or even deter such prison murders because, without a death sentence, a violent life-termer has free rein "to continue to murder as opportunity and his perverse motives dictate."

On October 22, 1983 at the federal penitentiary in Marion, Illinois, two prison guards were murdered in two SEPARATE instances by SEPARATE inmates who were both serving life terms for previously murdering inmates.

How many 'chances' would you GIVE THEM GENTLE READER? HOW MANY CHANCES?

CLICHÉD ARGUMENTS AGAINST CAPITAL PUNISHMENT:

I have also heard clichéd arguments about the futility of combating violence with more "violence," that you can't fight fire with fire. Now I know that there is a difference between violence and law enforcement, or punishment. Law enforcement and punishment is to crime as water is to fire, where fire-fighters spray water on a burning building with such force that the flames have no choice but to back down. But the rate that we're executing murderers is analogous to trying to quench a bonfire with an eye-dropper.

Another clichéd argument is the phrase: "Violence doesn't solve anything." Thus labeling capital punishment as a form of violence in order to rationalize that short-sighted cliché that has no foundation in the real world. I like the way a quote from Robert A. Heinlein's *Starship Troopers* puts it:

"The idea that "violence doesn't solve anything" is a historically untrue and immoral doctrine. Violence, naked force, has settled more issues in history than has any other factor, and the contrary opinion is wishful thinking at its worst. People that forget this basic truth have always paid for it with their lives and freedoms."

Another clichéd argument is the question: "Why do we kill people to show that killing people is wrong?" That two wrongs do not make a right, therefore, executions are equivalent to murder. First of all, the term murder is specifically defined in any dictionary as the UNLAWFUL killing of a person with malice and aforethought. So logically, the word murder cannot be used to describe executions since the death penalty is the law. To do so is an obvious abuse of semantics. Second of all, comparing executions to murders is like comparing incarcerating people to kidnapping or charging taxes and fines to extortion. There is a difference between violent crime and punishment. Is there a contradiction in a policeman speeding after a speeder to enforce speeding laws? One displays a serious lack of moral judgment to believe that just because two practices share a physical similarity means that they are morally identical. Law enforcement officials and those with a masters in criminal justice act well within the law when they punish criminals whether it be by charging fines, incarcerating them, or conducting executions, thereby, defending public safety. Nineteenth-century English philosopher and reformer John Stuart Mill, stated:

"Does fining a criminal show want of respect for property, or imprisoning him, for personal freedom? Just as unreasonable it is to think that to take the life of a man who has taken that of another is to show want of regard for human life. We show, on the contrary...our regard for it, by the adoption of a rule that he who violates that right in another forfeits it for himself and that while no other crime that he can commit deprives him of his right to live, this shall."

What separates crime from punishment, good from evil are not their physical aspects but rather their moral aspects. And moral aspects examine the reasons and motivations behind one's actions. Abolitionists tend to focus on the death penalty's physical aspects to demonstrate that it is the same as murder while completely ignoring its moral aspects involved, therefore, demonstrating their total lack of moral coherence.

Still another clichéd argument abolitionists use is that we should value ALL human life, even the most violent and despicable ones. That philosophy indicates that there is nothing more to humanity than the physical traits that identify our species. I say they are wrong. There is an entire spiritual aspect to humanity that they tend to completely ignore. Anybody can be physically human. All that is, is an accident of genetics. It is the spiritual aspects of humanity that actually define who and what we are. Moral assessments are based on one's acts and character, not on his race or

species, the latter which abolitionists often use as an excuse to canonize murderers. Allowing one's species to hold more weight than his character is the foundation of racism. When a culture develops the moral coherence to recognize humanity as more a spiritual thing than just some physical thing, they will have no excuse to allow, tolerate, or preserve evil and barbarism just because it hides inside a physical human shell.

Syndicated columnist Charley Reese made an interesting analogy while criticizing the way abolitionists typically behave when he wrote:

“When I think of all the sweet, innocent people who suffer extreme pain and who die every day in this country, then the outpouring of sympathy for cold-blooded killers enrages me. Where is your (expletive deleted) sympathy for the good, the kind and the innocent? This fixation on murderers is a sickness, a putrefaction of the soul. It's the equivalent of someone spending all day mooning and cooing over a handful of human feces. Sick and abnormal.”

Personally, I think abolitionists have a lot of gall claiming that they are motivated to oppose the death penalty by their "reverence for human life" when the only people that they are interested in preserving are those who display the least of it... the very least reverence for human life.

And a final and perhaps most sophomoric cliched argument is that executing a murderer won't bring back his victim. (They never explain how putting murderers in prison is any more capable of such a miracle.) That is not the point of executions and it never was. Justice is not about bringing back the dead. It is not about revenge either. Justice is about enforcing consequences for one's own actions to endorse personal responsibility. We cannot expect anyone to take responsibility for their own actions if these consequences are not enforced in full.

RACISM AND CAPITAL PUNISHMENT:

There are those that state that capital punishment is unfair to people of other races, classes, or mental abilities. I say that these aspects are not an issue. Murder has no color, class, or IQ. A murderer is a murderer. When a loved one is killed, I doubt anyone could take comfort in the fact that the perpetrator had a low IQ, was black instead of white, or poor instead of rich. Ernest van den Haag wrote:

"If and when discrimination occurs it should be corrected. Not, however, by letting the guilty blacks escape the death penalty because guilty whites do, but by making sure that the guilty white offenders suffer it as the guilty blacks do. Discrimination must be abolished by abolishing discrimination - not by abolishing penalties. However, even if... this cannot be done, I do not see any good reason to let any guilty murderer escape his penalty. It does happen in the administration of criminal justice that one person gets away with murder and another is executed. Yet the fact that one gets away with it is no reason to let another one escape."

A 1991 Rand Corporation study by Stephen Klein found that white murderers received the death penalty slightly more often (32%) than non-white murderers (27%). And while the study found murderers of white victims received the death penalty more often (32%) than murderers of non-white victims (23%), when controlled for variables such as severity and number of crimes committed, there is no disparity between those sentenced to death for killing white or black victims.

After examining 42,500 criminal files in the nations 75 largest counties, Patrick A. Langan, senior statistician at the Dept. of Justice Bureau of Justice Statistics concluded that there was no evidence " ...that, in the places where blacks in the U. S. have most of their contacts with the judicial system, that (the) system treats them more harshly than whites."

In a recent crime bill, the Racial Justice Act, was proposed. The act, had it been implemented, would have established a penalty-by-quota system. As a precondition for applying the death penalty, it would have required that all races be proportionally represented in the execution chamber. This practice would have allowed judgment

to be made, not on the facts of a particular case, but on the facts of a defendant's race.

Also, doesn't the fact that the death penalty is optional make it seem more prone to racial discrimination? It has been called racist since a prosecutor can seek a death sentence against an African-American for a capital crime but not a white person for the same offense. I never hear prisons called "racist" because they are mandatory for many crimes. If the death penalty were the same way, race would be a non-issue and the courts would be forced to concentrate only on the crime committed, as it should be.

For capital punishment to be applied equally to every criminal, rich or poor, black or white, it must be mandatory for ALL capital cases.

CAPITAL PUNISHMENT AND ITS COSTS:

There's a claim that it is more expensive for the state to execute a criminal than to incarcerate him for life. Many opponents present, as fact, that the cost of the death penalty is so expensive (at least \$2 million per case?), that we must choose life without parole ("LWOP") at a cost of \$1 million for 50 years. Predictably, these pronouncements may be entirely false. JFA (Justice for All) estimates that LWOP cases will cost \$1.2 million - \$3.6 million more than equivalent death penalty cases.

And life without parole prisoners face, on average, 30 or 40 years in prison while the annual cost of incarceration is \$40,000 to \$50,000 a year for each prisoner or more! There is no question that the up front costs of the death penalty are significantly higher than for equivalent LWOP cases. There also appears to be no question that, over time, equivalent LWOP cases are much more expensive - from \$1.2 to \$3.6

million - than death penalty cases. Opponents ludicrously claim that the death penalty costs, over time, 3-10 times more than LWOP.

The \$34,200 is conservative, if TIME Magazine's (2/7/94) research is accurate. TIME found that, nationwide, the average cell cost is \$24,000/yr. and the maximum security cell cost is $\frac{1}{2}$ is \$75,000/yr. (as of 12/95). Opponents claim that LWOP should replace the DP. Therefore, any cost calculations should be based specifically on cell costs for criminals who have committed the exact same category of offense - in other words, cost comparisons are valid only if you compare the costs of DP-equivalent LWOP cases to the cost of DP cases. The \$34,200/yr. cell cost assumes that only 20% of the DP-equivalent LWOP cases would be in maximum security cost cells and that 80% of the DP-equivalent LWOP cases would be in average-cost cells. A very conservative estimate. The \$60,000/yr., for those on death row, assumes that such cells will average a cost equal to 80% of the \$75,000/yr. for the most expensive maximum security cells. A very high estimate. Even though we are calculating a 75% greater cell cost for the DP than for equivalent LWOP cases, equivalent LWOP cases appear to be significantly more expensive, over time, than their DP counterparts. For years, opponents have improperly compared the cost of all LWOP cases to DP cases, when only the DP equivalent LWOP cases are relevant.

Annual cost increases are based upon: 1) historical increases in prison costs, including judicial decisions regarding prison conditions, and the national inflation rate; 2) medical costs, including the immense cost of geriatric care, associated with real LWOP sentences; 3) injury or death to the inmate by violence; 4) injury or death to others caused by the inmate (3 and 4 anticipate no DP and that prisoners, not fearing additional punishment, other than loss of privileges, may increase the likelihood of violence. One could make the same assumptions regarding those on death row. The difference is that death row inmates will average 6 years incarceration vs. 50 years projected for LWOP); 5) the risk and the perceived risk of escape; and 6) the justifiable lack of confidence by the populace in our legislators, governors, parole boards and judges, i.e. a violent inmate will be released upon society.

\$75,000 for trial and appeals cost, for DP-equivalent LWOP cases, assumes that the DP is not an option. It is believed that this cost estimate is very low. It is over-estimated that DP cases will cost twenty times more, on average, or \$1.5 million. This exaggerated estimate states that the DP will have twenty times more investigation cost, defense and prosecution cost, including court time, guilt/innocence stage, sentencing stage and appellate review time and cost than DP

equivalent LWOP cases. Even though abolitionists have greatly exaggerated the cost of DP cases, DP cases still prove to be significantly less expensive, over time, than the DP equivalent LWOP cases.

Six years on death row, prior to execution, reflects the new habeas corpus reform laws, at both the state and federal levels. Some anti-death penalty groups speculate that such time may actually become only four years. If so, then DP cases would cost even that much less than the DP equivalent LWOP cases. However, the average time on death row, for those executed from 1973-1994, was 8 years. Therefore, six years seems more likely. Even using the eight-year average, the DP equivalent LWOP cases are still \$1 million more expensive than their DP counterparts (\$2 million @ 2% annual increase).

Also, U.S. states that repeal death penalty laws do not see a significant savings in trial costs. In states where the death penalty is the maximum punishment, a larger number of defendants are willing to plead guilty and receive a life sentence. The greater cost of trials where the prosecution does seek the death penalty is offset, at least in part, by the savings from avoiding trial altogether in cases where the defendant pleads guilty.

The study -- The Death Penalty and Plea Bargaining of Life Sentences -- examined data gathered by the U.S. Bureau of Justice Statistics from 33 large urban counties. The study examined how many of the murder cases were resolved by guilty plea, how many went to trial and how many resulted in a sentence of at least 20 years. In states with the death penalty, the average county obtained sentences of 20 years or more in more than 50 percent of cases where the defendant was convicted of murder or voluntary manslaughter. In states without the death penalty, sentences of 20 years or more were obtained in just more than 40 percent of such cases, but only 5 percent of those were guilty pleas, or just more than a quarter of the number in the death penalty states.

And if the death penalty is abolished, abolitionists will turn to eliminate life without parole as well and will drive the appeals costs higher than death penalty appeals since there is no execution to end the process of a life without parole prisoner.

Lastly, the cost for justice does not have to be so high for the execution of murderers. If we only allowed appeals that are relevant in proving one's innocence and eliminated the many more that are used merely as delaying tactics, it would save millions in taxpayer dollars.

THE CONSTITUTIONALITY OF CAPITAL PUNISHMENT:

Abolitionists claim that the death penalty is un-constitutional by quoting the eighth amendment which forbids "cruel and unusual punishment." "Cruel and unusual" has never been defined by our founding fathers, but let's examine the issue anyway.

Where does the Supreme Court stand on the "cruel and unusual" claim of the abolitionists? In several cases the Justices of the Supreme Court have held that the DP is not cruel and/or unusual , and is in fact, a Constitutionally acceptable remedy for a criminal act.

In Trop v. Dulles, Chief Justice Earl Warren, no friend of the death penalty, said:

"Whatever the arguments may be against capital punishment, both on moral grounds and on grounds and in terms of accomplishing the purposes of punishment.... the death penalty has been employed throughout our history, and in a day when it is still widely accepted, it cannot be said to violate the conceptional concept of cruelty".

Indeed, the Supreme Court has constantly held that the death penalty in itself, as a sentence for a crime, is neither cruel or unusual. In Furman vs. Georgia, the court said:

"The punishment of death is not cruel, within the meaning of that word as used in the Constitution. It implies there is something more inhuman and barbarous, than the mere extinguishment of life."

There are those who insist that the Constitution does not support the death penalty. This is simply not true. The fifth amendment states:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

Note:

"...a capital, or otherwise infamous crime...

...be twice put in jeopardy of life or limb...

...nor be deprived of life...without due process of law..."

So the constitution does allow capital punishment through indirect references such as these.

Former Justice Marshall McComb of the California Supreme Court wrote in 1972:

"It is my opinion that the death penalty is constitutional, as determined... in innumerable cases. therefore, since it is the duty of the Legislature of the electorate, and not the judiciary, to decide whether it is sound public policy to empower the imposing of the death penalty, it is my opinion that if a change is to be made, it should be effected through the legislative process of by the people through the initiative process."

US Supreme Court Justice Antonin Scalia confirmed this analysis in 1997 when he said:

"No fewer than three of the Justices with whom I have served (Justices Brennan, Marshall, and Blackmun) have maintained that the death penalty is unconstitutional, even though its use is explicitly contemplated in the Constitution. The Due Process Clause of the Fifth and Fourteenth Amendments says that no person shall be deprived of life without due process of law; and the Grand Jury Clause of the Fifth Amendment says that no person shall be held to answer for a capital crime without grand-jury indictment."

Syndicated columnist Jeff Jacoby states where Constitutional law stands on this issue well when he wrote:

"It is up to the law to speak to them-to speak for all grief-stricken survivors confronted with the butchery of someone near and dear. Capital punishment says to them: We, the community, take your loss with the utmost seriousness. We know that you are filled with rage and pain. We know that you may cry for vengeance, may yearn to strangle the murderer with your bare hands. You are right to feel that way. But it is not for you to wreak retribution. As a decent and just society, we will do it. Fairly. After due process. In a court of law."

I would imagine that the Founding Fathers could not have conceived of a world or nation without capital punishment. Indeed, in those days, there was absolutely no question of the value of public safety and personal responsibility. Had they foreseen the rise in violent crime we have had in the 1970s, 1980s, and into the 1990s, they might have declared the death penalty in the preamble!

THE RISK OF WRONGFUL EXECUTION OF INNOCENTS:

As for the penal system accidentally executing an innocent person, I must point out that in this imperfect world, nothing that is worth having comes without risk. After all, far, far more innocent lives have been taken by convicted murderers than the supposedly 23 innocents mistakenly executed this century. In fact, there is absolutely no evidence that the death penalty in this country has ever executed even ONE innocent in the past century! Also consider that thousands of American citizens are murdered each year by released and paroled criminals. These are the serious flaws in life sentences that abolitionists prefer to trivialize to nonexistence. There is no doubt whatsoever that keeping murderers alive is far, far more dangerous to innocents than putting them to death. One US Senate report stated this position this way:

“All that can be expected of... [human authorities] is that they take every reasonable precaution against the danger of error... If errors are... made, this is the necessary price that must be paid within a society which is made up of human beings.”

Also, the death penalty isn't the only institution that contain risks in exchange for social benefits. We, in fact, mindlessly use far more dangerous institutions that take the lives of innocents by the hundreds every day, like the three or four tons of lethal metal we call automobiles for example. After all, how can we accept the average 45,000 person a year death toll in this nation due to car wrecks for our personal conveniences when the slim risk of a wrongful execution is so unbearable?

Following the lines of that logic, we not only would have to sacrifice our vehicles, we would have to sacrifice the personal conveniences of using electricity and fire because of the lives they have taken. We would have to go back to living in caves because of our fear of taking risks for social benefits. Indeed, we accept and use far too many devices and institutions that kill far too many hundreds of innocents each and every day to justify focusing this much paranoia on the slimmest and unlikely of risks. In fact, as far as abolitionists are concerned, anything can kill any number of innocents with absolute impunity so long as they don't harm murderers.

Oregon District Attorney Josh Marquis had this to say about the effectiveness of our justice system:

“Even according to Barry Scheck's Innocence Project there have only been 174 DNA exonerations for ALL crimes, more than 90% of which were not murder, let alone death penalty cases. In fact, the number of inmates taken off death row specifically because DNA cleared them is... FIVE. An additional nine inmates who were once on death row were eventually fully exonerated by DNA evidence. Some might say, 14 or 140, it doesn't make a difference. That makes as much sense as being told you have a 1% mortality risk from a surgical procedure versus a 10% risk.”

To enjoy the privilege of using cars, airplanes, or any other device that improve the quality of our lives, we accept the risks and deaths that are caused by them completely in order to reap their full benefits. The same concept applies for the death penalty only on a far lesser scale. As long as we're entitled to recklessly endanger hundreds of innocent lives daily for our personal conveniences, then surely we should be allowed to take on lesser risks for something far less selfish and self serving like public safety. Every institution that is of great benefit to society always contain risks. The death penalty happens to be the least dangerous of them, yet it is focused on with the most paranoia.

Syndicated columnist Charley Reese stated:

“I favor a fair trial, one quick appeal and prompt execution. I don't think murderers ought to live much beyond 12 months from the day their victim is buried... [and] As for not being able to correct a mistake, so what? Virtually all accidental deaths are deaths by mistake. Why impose a standard of perfection only on the criminal justice system? There are no perfect human institutions. Our system is, more than any other, designed to protect the rights of the defendant. The chance of a truly innocent person being executed is exceedingly slim. But if it happens, it happens just as things happen to people every day.”

Abolitionists like to establish the delusion that the death penalty is the only risk that exists. That's why they rarely, if ever, pay any attention to the hundreds of innocent human beings that are brutally slaughtered daily by automobiles, airplanes, fire, and electricity, let alone violent crime including repeat offences. The only time they assign the most worth and reverence to human lives is when they help rationalize their own bias like the possible victims of wrongful executions. Outside of that, innocent lives are secondary in value and expendable.

For instance, abolitionists spend millions of dollars and countless man hours fighting the legal execution of dozens of our worst human rights violators per year under the guise that they are concerned about the innocents that might be executed by mistake, when they do nothing to eliminate the inhumane parole and probation release policies which result in the needless injury and slaughter of thousands of innocent people. This slaughter does not include violent crimes committed by repeat offenders who are released and who are not on "supervision". And where is the compassion in honoring the previous victim's suffering and in protecting the human rights of future victims? Indeed, abolitionist actions show virtually no compassion for the victims of violent crime or concern for future victims, yet, they exhibit overwhelming support for those who violate our human rights and murder countless innocents each year. The only time assigning sanctity to innocent lives can be stomachied is when they manipulate people into preserving murderers. They don't value innocent lives at all, they only refer to them to manipulate those who do. Indeed, their "regard" for innocents is nothing more than a self-righteous manipulative ploy. So don't be fooled by the guise of virtue they tend to don.

Our tendency to treat enormous human death tolls as though they were less tragic than smaller ones match former Soviet dictator Joseph Stalin's unique, and accurate insight on human nature when he stated:

"One death is a tragedy, but a million deaths are statistics."

It is that short-sightedness that allows so many mass murders and genocides to take place in the world.

Abolitionists keep talking about the risks of a wrongful execution in the death penalty's use. Well, being moral and just individuals, we will not avoid taking issue with that risk. However, the risks involving capital punishment is not nearly as

dangerous or as insensitive to those it puts at risk as the risks that are associated with abolitionist standards. Indeed, under the liberal influences in our criminal justice system, the murder rate skyrocketed along with the number of repeat offences. But those who endorse these liberal standards never demonstrate the morality or the responsibility to take issue with these lethal flaws and work at least twice as hard to protect the innocents that are threatened by the murderers they are so dedicated to preserving. That is probably why the vast majority of people around the world favor capital punishment, because the death penalty never treats even the most hypothetical and highly unlikely of risks involved in its use with nearly as much contempt and disregard as abolitionists habitually treat countless of real life incidents as a consequence of their agenda. This is what confirms capital punishment's superior level of responsibility and morality.

And what abolitionists don't realize is that they would have a far better chance of convincing the public to accept the abolition of capital punishment if they set up actual life without parole as a prerequisite to abolition in order to minimize the rising crime rates and repeat offences that tends to follow. But that will never be, because no matter what abolitionists say, their first priority is to keep murderers alive while using whatever risk the death penalty poses to innocent lives as a means to that end. So they will never commit any honest or genuine effort to actually set up alternatives to capital punishment before its abolition. They, therefore, put the public at greater risk than otherwise and sabotage their own cause.

Indeed, I can assure every abolitionist who uses this argument that there is not one retentionist out there who is not aware of the risks involved with the death penalty or the fact that he is putting his own life at risk. But they support it anyway. Why? Because we cannot find any moral justification to trivialize and subordinate the thousands of innocents that are brutally slaughtered every year due to violent crime to the slimmest risk in the world! To do so would be short-sighted and insensitive in the extreme!

In a world as dangerous and as imperfect as this one, we will always be putting innocent lives at risk no matter what we do, or don't do. The death penalty is a choice that is the least dangerous and the most sensitive to those put at risk.

CAPITAL PUNISHMENT AND CHRISTIANITY:

Another weapon used to fight capital punishment is the Holy Bible, the "source of all morality." Some Christians claim that we have no right to play God by pointing out the 6th Commandment in Exodus 20:13 which states: "Thou shall not kill" But if one translated directly from the original Hebrew version, it is: "Thou shall not MURDER." And murder is defined in any dictionary as the UNLAWFUL killing of a person with malice and aforethought.

Many Christians would claim that Jesus changed or abolished the old law and directly opposed the death penalty when he saved a prostitute from being stoned by saying, "Let he among you who is without sin, cast the first stone." John 8:7 and when he said, "Judge not, that you be not judged." Matthew 7:1. But Jesus himself told us that He did not come to abolish or change the Law, but to fulfill the Law:

"Do not think that I came to destroy the Law or the Prophets. I did not come to destroy but to fulfill. for assuredly, I say to you, till heaven and earth pass away, one jot or one tittle will by no means pass from the law till all is fulfilled. Whoever therefore breaks one of the least of these commandments, and teaches men so, shall be called least in the kingdom of heaven; but whoever does and teaches them, he shall be called great in the kingdom of heaven." - Matthew 5:17-19

Also, Jesus's admonition "Let him without sin cast the first stone," when He was asked the appropriate punishment for an adulteress (John 8:7) - the Mosaic Law prescribed death - should be read in its proper context. This passage is an entrapment story, which sought to show Jesus's wisdom in besting His adversaries, not an ethical pronouncement against capital punishment. This analysis is consistent with virtually all theological scholarship.

So what has happened, is that people have taken those quotations out of context and changed their meaning to suit their own personal views. Abolitionists use what Jesus said in Matthew 7:1, "Judge not, that you be not judged" to say that the death penalty contradicts Christian values since we have to judge to sentence someone to death. But look at the whole picture of what Jesus was saying:

"Judge not, that you be judged. For with what judgment you judge, you will be judged; and with the measure you use, it will be measured back to you. And why do you look at the speck in your brother's eye, but do not consider the plank in your own eye? Or how can you say to your brother, 'Let me remove the speck from your eye'; and look, a plank is in your own eye? Hypocrite! First remove the plank from your own eye, and then you will see clearly to remove the speck from your brother's eye"
- Matthew 7:1-5

So by seeing the entire picture, we see that Jesus was speaking to the hypocrite. For example, if I steal, and I see someone else stealing, I cannot judge them for stealing. I would be a hypocrite. First, I myself must stop stealing before I could judge the other person. That is called judging fairly and not hypocritically. That is what Jesus meant when He stopped the stoning of the prostitute from an angry mob, discouraging mob rule. Therefore, Jesus left justice and retribution to the civil authorities which was named God's minister for his wrath in Romans 13:4. So Christians should adopt the habit of taking the entire scope of the Bible into account when they interpret certain passages lest they make it look like a pack of hypocritical contradictions.

The Word in Life Study Bible analyzes the issue of judging this way:

"What was Jesus calling for when He ordered His followers to "judge not" - (Matt. 7:1)? Did He want us to close our eyes to error and evil? Did He intend that managers forgo critical performance reviews of their employees? Or that news editors and art critics pull their punches? Or that juries refrain from judgment? Should we decline any assessment of others, since none of us is perfect?

No, those would all be misapplications of Jesus' teaching. He was not commanding blind acceptance, but grace toward others. Since all of us are sinners, we need to stop bothering with the failings of others and start attending to serious issues of our own (Matt. 7:3-5). His words here extend His earlier expose of Hypocrisy (Matt. 1:18). Don't blame or put down others while excusing or exalting yourself, Jesus was saying.

Is there room, then, to assess others, especially when we know we are not perfect? Yes, but only in Jesus' way: with empathy and fairness (Matt. 7:12), and with a readiness to freely and fully forgive (Matt. 6:12, 14). When we are called upon to correct others, we should act like a good doctor whose purpose is to bring healing—not like an enemy who attacks.”

A common misinterpretation from the New Testament promoted by abolitionists is that we should love and cherish murderers, rapists, thieves, etc. because it states in Matt 5:44:

“But I say to you, love your enemies, bless those who curse you, do good to those who hate you, and pray for those who spitefully use you and persecute you.”

But such an analysis is drawn from interpreting from the scriptures using a modern frame of reference. It is often forgotten that Jesus lived over 2000 years ago, when the world and the perceptions of the people who lived back then were far different than they are today. Back then, those who were considered to be the enemy and evil was the Roman Empire and its agents, namely, the tax collectors and the Roman soldiers who enforced those taxes. These tax collectors were Jews themselves. Most were corrupt and were despised as traitors to the Jewish nation. Those were the people Jesus was referring to when he spoke about enemies and those who are evil. This is confirmed when we read further:

“For if you love those who love you, what reward have you? Do not even the tax collectors do the same? And if you greet your brethren only, what do you do more than others? Do not even the tax collectors do so?” - Matt 5:46-47

So we can see that these passages were not meant to undermine the criminal justice system in Jesus's time, or ours. But once again, abolitionists have taken such quotes out of context in an attempt to show otherwise.

Some religious people argue that since we cannot create human life we should not take it. If you accept the premises of religion, then not only can we not create human

life, we cannot destroy it. We can only destroy the flesh that temporarily houses the immortal soul. What happens to the soul is God's business, no one else's.

So I find all biblical interpretations against the death penalty to be frivolous, at best, because no where does the Bible repudiate capital punishment for murder. In fact, it is the one crime in the Bible for which no restitution is possible. (Num. 35:31, 33) Christians who oppose the death penalty in deserving cases tend to subordinate the justice of God to the love of God. But it is because humans are created in God's image that capital punishment is not only permitted by the Bible, but approved and encouraged as well. (Genesis 9:6)

Paul, one of Christ's disciples, in his hearing before Festus, states: "For if I am an offender, or have committed anything deserving of death, I do not object to dying." (Acts 25:11) St. Paul confirms that the civil authority may justly execute wrongdoers for certain crimes.

Christ Himself regarded capital punishment as a just penalty for murder when He said to one of his disciples after he tried to kill a soldier who had come to arrest Jesus: "... all who take the sword will perish by the sword." (Matt. 26:52) He also recognized the death penalty for people who cursed their parents. (Matt. 15:4)

When Jesus faces Pontius Pilate, Pilate says to Jesus: "Do You not know that I have power to crucify You?" Jesus replies: "You could have no power at all against Me unless it had been given you from above." (John 19:10-11) Jesus reminds Pilate that the use of the death penalty is a divinely entrusted responsibility that is to be justly implemented. In Jesus Christ's crucifixion, one of the criminals crucified next to Jesus said: "... we receive the due reward of our deeds... Lord, remember me when You come into Your kingdom." Jesus replied: "Assuredly, I say to you, today you will be with Me in Paradise." (Luke 23:42-43) That pardon did not extend to eliminating the consequences of his crime.

There are a couple passages in Luke which speak directly on Jesus' position on the death penalty:

"A certain man planted a vineyard, leased it to vinedressers, and went into a far country for a long time. Now at vintage-time he sent a servant to the vinedressers, that they might give him some of the fruit of the vineyard. But the vinedressers beat him and sent him away empty-handed. Again he sent another servant; and they beat him also, treated him shamefully, and sent him away empty-handed. And again he sent a third; and they wounded him also and cast him out. then the owner of the vineyard said, 'What shall I do? I will send my beloved son. Probably they will respect him when they see him.' But when the vinedressers saw him, they reasoned among themselves, saying, 'This is the heir. Come, let us kill him, that the inheritance may be ours.' So they cast him out of the vineyard and killed him. Therefore what will the owner of the vineyard do to them? He will come and destroy those vinedressers and give the vineyard to others." - Luke 20:9-16.

Jesus states in that parable that the proper punishment for murder is death. Christ also pronounced this judgment on those who rebelled against their king:

"But bring here those enemies of mine, who did not want me to reign over them, and slay them before me." - Luke 19:27

In the 19:27 parable their king is Jesus. So it is very clear that neither Christ nor His apostles intended to abrogate the God-given responsibility of the state (under Old Testament Law) to protect its citizens and enforce justice by capital punishment.

And in Romans 13:3-4, St. Paul states:

"For rulers are not a terror to good works, but to evil... Do what is good, and you will have praise from the same. For he is God's minister to you for good. But if you do evil, be afraid; for he does not bear the sword in vain; for he is God's minister, an avenger to execute wrath on him who practices evil."

So God has given the state the power of life and death over its subjects to maintain public safety for God established the governing authorities, and it is to them the responsibility of putting those to death who commit capital crimes.

Also, it is stated in the book of Revelation:

"He who leads into captivity shall go into captivity; he who kills with the sword must be killed with the sword. Here is the patience and the faith of the saints." -Revelation 13:9-10

There is a popular saying that only God has the right to take a human life. But nowhere in the bible is this statement confirmed. Indeed, Genesis 9:6, God states: "Whoever sheds MAN'S blood, by MAN his blood shall be shed." Also, in the time when God was giving His law to Moses and His people, He said:

"He who strikes a man so that he dies shall surely be put to death." -Exodus 21:12

"Moreover you shall take no ransom for the life of a murderer who is guilty of death, but he shall surely be put to death." -Numbers 35:31

"So you shall not pollute the land where you are; for blood defiles the land, and no atonement can be made for the land, for the blood that is shed on it, except by the blood of him who shed it." -Numbers 35:33

This is religious evidence that one need not be God to exact a fitting punishment for the crime of murder. Not only that, but the Bible also condones the death penalty for rapists, (Deut. 22:25) sodomy, (Lev. 18:22, 20:13) fornication, (Lev. 21:9) (Deut. 22:21-24) perjury, (Zech. 5:4) kidnapping, (Ex.21:16, Deut. 24:7) witchcraft, (Ex. 22:18) for striking or cursing father or mother, (Ex. 21:15,17, Lev. 20:9) disobedience to parents, (Deut. 21:18-21) theft, (Zech. 5:3,4) blasphemy, (Lev. 24:11-14,16,23) sabbath desecration, (Ex. 35:2, Num. 15:32-36) propagating false doctrines, (Deut. 13:1-10) refusing to abide by the decision of court, (Deut. 17:12) even homosexuals. (Lev. 20:13) So whoever uses the Bible to condemn capital punishment risks hypocrisy.

There are those who claim that capital punishment is not compatible with New Testament scripture because one cannot love your neighbor by killing them. But that

view is based on the misconception that death is always associated with hostility and malevolence. That is not always the case. Death can actually be a peaceful and spiritually enlightening experience. Victims rights activist group "Justice for All" presents an excellent example of my meaning below:

"The movie Dead Man Walking demonstrates a very good example of how just punishment and Jesus' message of love and redemption can work together:

"Had rapist/murderer Matthew Poncelet not been properly sentenced to death by the civil authority, he would not have met Sister Prejean, he would not have taken responsibility for his crimes and he would not have reconciled with God. Had Poncelet never been caught or had he only been given a prison sentence, his character makes it very clear that those elements would not have come together. Indeed, for the entire film and up until those last moments, prior to his execution, Poncelet was not fully truthful with Sister Prejean. His lying and manipulative nature was fully exposed at that crucial time. It was not at all surprising, then, that it was just prior to his execution that all of the spiritual elements have come together for his salvation, something no prison sentence is able to do. It was now, or never. Truly, it was his pending execution which finally led to his repentance. For Christians, the most crucial concerns of Dead Man Walking must be and are redemption and eternal salvation. And, for that reason, it may well be, for Christians, the most important pro-death penalty movie ever made.

"A real life example of this is the case of Dennis Gentry, executed April 16, 1997, for the premeditated murder of his friend Jimmy Don Ham. During his final statement, Gentry said, "I'd like to thank the Lord for the past 14 years (on death row) to grow as a man and mature enough to accept what's happening here tonight. to my family, I'm happy. I'm going home to Jesus." As the lethal drugs began to flow, Gentry cried out, "Sweet Jesus, here I come. Take me home. I'm going that way to see the Lord.""

I agree with religious philosopher Saint Aquinas that in a religious sense, executions represent mercy to the wrongdoer:

"...a secondary measure of the love of God may be said to appear. for capital punishment provides the murderer with incentive to repentance which the ordinary man does not have, that is a definite date on which he is to meet his God. It is as if God thus providentially granted him a special inducement to repentance out of consideration of the enormity of his crime... the law grants to the condemned an opportunity which he did not grant to his victim, the opportunity to prepare to meet his God. Even divine justice here may be said to be tempered with mercy."

Indeed, the death penalty fits in very well with Christian beliefs, especially if one considers Christ's crucifixion. For man's sins were so great, that only an execution could atone for them. Just as Christ died to atone for Man's sins, so must the murderer die to atone for his, following Christ's example. Without atonement for one's sins, forgiveness and redemption look cheap and frivolous. Christ demonstrated just that when he died on the cross for us. It can be confirmed that biblical text finds that it is a violation of God's mandate not to execute murderers- and nowhere does the text contradict this finding.

The statements above do not reflect any religious beliefs on my part. I'm agnostic. This is to counter the false claim that there is no Biblical support for capital punishment.

THE MORALITY OF CAPITAL PUNISHMENT:

On a final note, how can murder be taken seriously if the penalty isn't equally as serious? A crime, after all, is only as severe as the punishment that follows it. As Edward Koch once said:

"It is by exacting the highest penalty for the taking of human life that we affirm the highest value of human life."

Award-winning Chicago journalist Mike Royko strongly defended this position by stating:

"When I think of the thousands of inhabitants of Death Rows in the hundreds of prisons in this country... My reaction is: What's taking us so long? Let's get that electrical current flowing. Drop those pellets [of poison gas] now! Whenever I argue this with friends who have opposite views, they say that I don't have enough regard for the most marvelous of miracles - human life. Just the opposite: It's because I have so much regard for human life that I favor capital punishment. Murder is the most terrible crime there is. Anything less than the death penalty is an insult to the victim and society. It says... that we don't value the victim's life enough to punish the killer fully."

Lord Justice Denning, Master of the Rolls of the Court of Appeals in England said to the Royal Commission on Capital Punishment in 1950:

"Punishment is the way in which society expresses its denunciation of wrong doing; and, in order to maintain respect for the law, it is essential that the punishment inflicted for grave crimes should adequately reflect the revulsion felt by the great majority of citizens for them. It is a mistake to consider the objects of punishments as being a deterrent or reformative or preventive and nothing else... The truth is that some crimes are so outrageous that society insists on adequate punishment, because the wrong doer deserves it, irrespective of whether it is a deterrent or not."

In J.J. Rousseau's The Social Contract written in 1762, he says the following:

“Again, every rogue who criminally attacks social rights becomes, by his wrong, a rebel and a traitor to his fatherland. By contravening its laws, he ceases to be one of its citizens: he even wages war against it. In such circumstances, the State and he cannot both be saved: one or the other must perish. In killing the criminal, we destroy not so much a citizen as an enemy. The trial and judgements are proofs that he has broken the Social Contract, and so is no longer a member of the State.”

Over the decades, public safety has become an insignificant, meaningless thing, not worth defending anymore, and the death penalty has been persecuted for just that reason. It has become a trend for most western, industrialized nations to treat public safety as though it were a trivial privilege that they can ignore, neglect, and deny their decent, law-abiding citizens, even though it is recognized as a human right under Article 12 of the UN's Universal Declaration of Human Rights:

“Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

And still, too many nations feel entitled to neglect their moral duty to defend the honor and dignity of decent, law abiding citizens from violent criminals. They no longer consider it a priority, let alone a human right.

Indeed, no other time in the history of the world has public safety ever been more trivialized than it is today. But there are indications that this will change.

A former prime minister of Hungary and the leader of its center-right opposition, Viktor Orban, has called on Europe to lift its ban. His announcement came after eight people were killed in a bank robbery in Hungary - and after his party lost national elections. Early in 2006, Kaczynski of Poland called for a debate on the restoration of the death penalty in his country and throughout Europe.

Countries that give up this penalty award an unimaginable advantage to the criminal over his victim, the advantage of life over death," Kaczynski said in July. His coalition partner, the far- right League of Polish Families, wants to change the country's penal code so that pedophiles convicted of murder would face execution.

As the flagship of democracy, it is the United States responsibility to demonstrate that public safety is not some trivial privilege, but an unalienable human right for every decent citizen. Therefore, the USA should set the example that every civilized nation has a moral responsibility to defend the safety of their decent civilians at least as diligently as they defend national security with an army.

As aptly pointed out by Professor Donald Atwell Zoll from Arizona State University, who holds a Master's in political science:

"Capital punishment ought not to be abolished solely because it is... repulsive, if infinitely less repulsive than the acts which invoke it... If we are to preserve a humane society we will have to retain sufficient strength of character and will to do the unpleasant in order that tranquillity and civility may rule comprehensively. It seems very likely that capital punishment is a... necessary, if limited, factor in that maintenance of social tranquillity and ought to be retained on this ground. To do otherwise is to indulge in the luxury of permitting a sense of false delicacy to reign over the necessity of social survival."

Every country in the world is ready and willing to kill thousands, even millions of human beings in brutal, merciless ways to defend their nation from the aggression of other countries. I don't see why public safety doesn't deserve as much respect and protection as a nation's national security does. In fact, it can be reasonably argued that supporting armies and waging war is far more barbarous than the death penalty is. So I find it hypocritical that the same countries who have abolished capital punishment because it is "barbaric" to defend public safety that way are at the same time prepared to enforce political power and defend their territorial claims through infinitely more violence and bloodshed than the death penalty would ever require. It seems to me that those nations are just trying to rationalize their apathy and scorn for any institution that doesn't serve their self-serving and political interests. Even

famed Russian author of "War and Peace" and pacifist Leo Tolstoy referred to capital punishment's morality to criticize warfare when he said:

"For the executioner only holds himself in readiness to kill those who have been adjudged to be harmful and criminal, while a soldier promises to kill all who he is told to kill, even though they may be the dearest to him or the best of men."

The whole reason why nations and governments exist is to defend their decent citizens from vicious criminals. When it fails to do that, they become of little use to its citizens. When a society ignores their moral duty to defend the safety and security of their decent citizens and leaves them at the mercy of violent criminals, they are not being "civilized," they are being negligent.

I am certain that there will come a time when all the nations in the world will be forced to agree after decades of experience on this issue, that capital punishment, like the military and the police force and taxes, is an inevitable and unavoidable consequence of every civilized society and it will no longer be a question of whether or not a nation should have the death penalty, but rather how it should be used.

While I believe that prompt and consistent executions would have a deterrent effect, there remains one great virtue, even for infrequent executions. The recidivism rate for capital punishment is zero. No executed murderer has ever killed again. You can't say that about those sentenced to prison, even if you are an abolitionist.

Source:

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